

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on January 26, 2007 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 268, 1/22/2007; SB 259,
1/22/2007; SB 210, 1/22/2007
Executive Action: None.

00:02:28

HEARING ON SB 268

Opening Statement by Sponsor:

00:03:31 **SEN. KEITH BALES (R), SD 20**, opened the hearing on **SB 268**, Cut surface mines coal severance tax by one-half.

[EXHIBIT\(tas18a01\)](#)

[EXHIBIT\(tas18a02\)](#)

Proponents' Testimony:

00:13:50 Bud Clinch, Executive Director, Montana Coal Council (MCC)

[EXHIBIT\(tas18a03\)](#)

00:16:33 Todd O'Hare, Rio Tinto Energy

00:19:56 Webb Brown, Montana Chamber of Commerce

00:21:43 Willie Duffield, Montana Association of Oil, Gas, and Coal (MAOGC)

Opponents' Testimony:

00:24:00 Hal Harper, Office of the Honorable Governor Brian Schweitzer (Governor's Office)

[EXHIBIT\(tas18a04\)](#)

00:33:07 Verner Bertelson, Montanans for the Coal Trust

[EXHIBIT\(tas18a05\)](#)

00:36:52 Marty Tuttle, Chief Legal Counsel, Montana Department of Commerce

00:42:29 Annmarie Robinson, Bear Paw Development

[EXHIBIT\(tas18a06\)](#)

00:45:47 Jim Smith, Montana Economic Developers Association

[EXHIBIT\(tas18a07\)](#)

00:48:42 Pat Torgerson, Citizen

00:49:26 Jim Davidson, Citizen
00:50:46 Dave Awne, GreatWest Engineering
00:52:30 Alden Beard, Owner, Beard Environmental and Technical
Assistants (BETA)
00:54:53 Chris Laity, American Society of Civil Engineers
00:56:21 Jeff Barber, Montana Environmental Information Center
(MEIC)
00:58:02 Gordon Morris, Lewis and Clark County
00:59:01 Gary Swanson, Civil Engineer

Informational Testimony:

01:00:52 Lee Baerlocher Montana Department of Revenue (DOR)
01:01:00 Anna Miller, Department of Natural Resources and
Conservation (DNRC)

Questions from Committee Members and Responses:

01:01:31 Sen. Jim Peterson to Mr. O'Hare, Rio Tinto Energy
01:06:17 Sen. Jerry Black to Mr. Clinch, Montana Coal Council
(MCC)
01:13:14 Sen. Robert Story to Mr. Awne, GreatWest Engineering
01:16:14 Sen. Story to Mr. Tuttle, Department of Commerce
01:19:42 Sen. Jeff Essmann
01:20:18 Sen. Jim Elliott to Mr. O'Hare, Rio Tinto Energy
01:26:44 Sen. Peterson to Ms. Miller, DNRC
01:29:18 Sen. Essmann to Mr. Harper, Governor's Office

Closing by Sponsor:

01:36:03 Sen. Bales closed on SB 268.

EXHIBIT(tas18a08)

01:44:12 Break
01:50:48 Reconvene

HEARING ON SB 259

Opening Statement by Sponsor:

01:51:25 **SEN. JIM SHOCKLEY (R), SD 45**, opened the hearing on **SB 259**, Prohibit deductions of wages paid to illegal aliens.

Proponents' Testimony:

01:54:50 Keith Allen, International Brotherhood of Electrical Workers (IBEW)

01:57:13 Paul Nachman, Citizen

[EXHIBIT\(tas18a09\)](#)

[EXHIBIT\(tas18a10\)](#)

02:05:56 Mary Beveridge, Citizen

Opponents' Testimony:

02:09:14 Elena Hodges, 7th Grade Student, Helena Middle School

02:09:46 Amanda Arnold, Montana Human Rights Network

Informational Testimony: None.

Questions from Committee Members and Responses:

02:11:53 Sen. Story to Mr. Allen, IBEW

02:13:58 Sen. Christine Kaufmann to Mr. Brian Olsen, Montana Department of Revenue (DOR)

02:15:20 Sen. Kaufmann to Sen. Shockley

02:18:47 Sen. Kim Gillan to Ms. Beveridge

02:20:51 Sen. Gillan to Mr. Olsen, DOR

02:24:14 Sen. Essmann to Mr. Nachman

02:26:26 Sen. Essmann to Ms. Beveridge

02:27:47 Sen. Essmann to Mr. Nachman

02:28:35 Sen. Story to Ms. Beveridge

02:30:21 Sen. Story to Sen. Shockley

02:32:24 Sen. Elliott to Sen. Shockley

Closing by Sponsor:

02:36:00 Sen. Shockley closed on SB 259.

02:39:35 Break

02:46:04 Reconvene

HEARING ON SB 210

Opening Statement by Sponsor:

02:46:14 **SEN. JESSE LASLOVICH (D), SD 43**, opened the hearing on **SB 210**, Revise energy conservation and weatherization laws.

EXHIBIT(tas18a11)

Proponents' Testimony:

02:53:22 Representative Art Noonan, HD 73, Butte

02:57:22 Tom France, National Wildlife Federation

EXHIBIT(tas18a12)

02:59:51 Kathy Hadley, National Center for Appropriate Technology (NCAT)

EXHIBIT(tas18a13)

03:06:25 Susan Kidd, Women For Equality and Economic Liberation (WEEL)

03:08:11 Patrick Judge, Montana Environmental Information Center (MEIC)

EXHIBIT(tas18a14)

03:12:21 Dustin Stewart, Montana Building Industry Association (MBIA)

03:14:19 Matt Leow, Montana Public Interest Research Group (MontPIRG)

03:16:15 Sarah Cobler, Montana Conservation Voters

03:17:35 Jacilyn Boyle, AARP of Montana

03:20:19 Pat Torgerson

03:21:30 Linda Gryczan, National Center for Appropriate
Technology (NCAT)

EXHIBIT(tas18a15)

Opponents' Testimony: None.

Informational Testimony:

03:23:55 Brian Olsen, MT Department of Revenue (DOR)

Questions from Committee Members and Responses:

03:24:19 Sen. Sam Kitzenberg to Mr. Judge, MEIC

03:25:36 Sen. Essmann to Ms. Gryczan, NCAT

03:27:57 Sen. Story to Mr. Judge, MEIC

03:29:43 Sen. Story to Mr. Olsen, DOR

03:32:12 Sen. Story to Sen. Laslovich

03:33:34 Sen. Story to Ms. Hadley, NCAT

03:38:57 Sen. Essmann to Mr. Olsen, DOR

03:40:21 Sen. Story to Mr. Olsen, DOR

03:42:39 Sen. Elliott

03:42:51 Ms. Gryczan, NCAT

03:43:21 Sen. Elliott to Sen. Laslovich

Closing by Sponsor:

03:44:56 Sen. Laslovich closed on SB 210.

Discussion:

03:46:31 Sen. Elliott

SENATE COMMITTEE ON TAXATION

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ADJOURNMENT

Adjournment: 11:50 A.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas18aad.pdf](#))